

Order

Michigan Supreme Court
Lansing, Michigan

January 27, 2006

Clifford W. Taylor,
Chief Justice

129771

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 129771
COA: 261473
Wayne CC: 01-012200-01

ERNEST L. GREEN,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the September 23, 2005 order of the Court of Appeals is considered, and it is DENIED, because the defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D).

KELLY, J., would hold this case in abeyance for *Davis v Washington*, 2005 US LEXIS 7859.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 27, 2006

Corbin R. Davis

Clerk